IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

FAMILY COURT APPEAL NO.136 OF 2005

Amit Kumar Sharma, Delhi ...Appellant
V/s.
Anita Amit Sharma, Haryana ...Respondent

Mr.D. Bodke, Advocate, for the Appellant.
None for the Respondent.

CORAM : J.N. PATEL &
A.A. SAYED, JJ.

DATE : 25TH JUNE, 2007.

P.C. :

1. On the last date after receipt of the affidavit-in-reply of the Respondent-wife, of which copy was furnished to the learned Counsel for the Appellant-husband, the learned Counsel for the Appellant submits that he has sought instructions and confirmed that the parties have entered into an agreement of compromise as stated in the affidavit-in-reply filed by the Respondent-wife sent to this Court which contains Annexure "R-1" and by virtue of the said settlement, it was agreed that the present Appeal would be withdrawn by the Appellant-husband. The Appellant-husband does not want to prosecute the Appeal. The Appellant is permitted to withdraw the Appeal. The Appeal stands dismissed as withdrawn.

2. It is pointed out by the learned Counsel for

the Appellant that the Appellant by way of interim order has deposited a sum of Rs.16,000/- in the Family Court at Mumbai, which he may be permitted to withdraw in view of the terms and conditions of the settlement which has been recorded in the agreement of compromise (Annexure "R-1"). We permit the Appellant-husband to withdraw the said amount as the Respondent-wife in settlement has already received a lump-sum permanent alimony towards maintenance as specified in the terms of compromise.

3. The learned Counsel for the Appellant assures the Court that he will inform the Respondent-wife of this order which will be forwarded to her alongwith his covering letter so that the terms of compromise are adhered to and she is made aware that the Appeal pending in this Court is withdrawn and dismissed as withdrawn.

[J.N. PATEL, J.]

[A.A. SAYED, J.]